


Approved:   
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## ***Juvenile Responsive Case Management Policy***

### **I. Policy**

The methods utilized to accomplish case management goals include a variety of strategies relative to evidence-based research including assessment, motivational interviewing, matching appropriate interventions, facilitating groups, developing pro-social skills, engaging the juvenile's family and other positive support systems, identification of access to services, case planning, and the use of relevant tools. In addition, case management contributes in providing an increased level of safety and welfare for the community.

The focus with the juvenile shall be on the quality of the exchange that occurs and the means by which Probation staff strives to help juveniles accomplish meaningful behavior change. This focus will be present throughout their juvenile court jurisdiction to include community supervision in lieu of incarceration and if necessary, within a Youth Rehabilitation and Treatment Center (YRTC) or other Out-of-Home Placement (OHP) and the juvenile's subsequent reentry into the community.

Case management targets risk reduction by focusing on the criminogenic risk through meaningful contact standards and referrals as needed. Policies have been established per risk level to guide probation officers in the supervision of juveniles.

### **II. Purpose**

To utilize a seamless system of service delivery, built on the ideals of integrated supervision and coordination of resources for juveniles and their families. To provide effective interventions for targeted juveniles throughout their entire juvenile court jurisdiction that produces effective outcomes.

### **III. Reference**

[Neb. Rev. Stat. § 29-2258](#)

[Neb. Rev. Stat. § 43-246](#)

[Neb. Rev. Stat. § 43-247](#)

[Neb. Rev. Stat. § 43-286](#)

[Neb. Rev. Stat. § 43-286.01](#)

[Neb. Rev. Stat. § 43-290](#)

[Neb. Rev. Stat. §43-297.01](#)

[Neb. Rev. Stat. §43-412](#)

[Neb. Rev. Stat. § 47-425](#)

## IV. Procedure

### A. Responsive Case Management

Probation officers shall apply Responsive Case Management strategies in a consistent and comprehensive manner relative to the targeted risk level or as designated by statute. Those levels are as follows:

1. Juvenile Community-Based Intervention (JCBI)-Reentry Probation
  - a) JCBI- Reentry Probation includes those juveniles who have been placed on an order of Intensive Supervision Probation by the court with a commitment for placement at a Youth Rehabilitation and Treatment Center (YRTC) and juveniles who are placed on an equivalent order of juvenile parole or reentry status from another state and transferred to Nebraska via the [Interstate Commission for Juveniles](#). The Administrative Office of Probation has determined that those juveniles designated or classified as JCBI-Reentry Probation and JCBI are considered the highest level of supervision and should have the highest priority of supervision resources.
  - b) The caseload size for a JCBI-Reentry Probation caseload shall generally not exceed 20.
  - c) During the commitment to the YRTC, the JCBI-Reentry officer shall work collaboratively with all stakeholders and community supports.
  - d) All probation officers supervising a JCBI-Reentry Probation case shall have the appropriate probation experience, training, and skills.
  - e) Case management of all juveniles designated as JCBI Probation Reentry shall be consistent with expectations outlined in the [Juvenile Community-Based Intervention \(JCBI\) Probation Policy](#).
2. Juvenile Community-Based Intervention (JCBI) Probation
  - a) JCBI Probation juveniles have been identified to be in need of a high level of supervision by the Administrative Office of Probation.
  - b) The Administrative Office of Probation has determined that those juveniles designated or classified as JCBI shall be the priority of supervision resources. Probation officers will use available interventions, and JCBI Probation juveniles will be intensively supervised.
  - c) The caseload size for a pure Juvenile Community-Based Intervention (JCBI) Probation caseload shall generally not exceed 30.
  - d) Juvenile Community-Based Intervention (JCBI) Probation juveniles and parent(s)/guardian(s) shall be advised of the expectations of JCBI Probation as part of the juveniles' supervision set-up.

- e) A disposition of intensive supervision probation, absent a commitment to Office of Juvenile Services for a YRTC Placement, shall be supervised under JCBI Probation.
  - f) All probation officers supervising a Juvenile Community-Based Intervention (JCBI) Probation case shall have the appropriate probation experience, training, and skills.
  - f) Case management of all juveniles classified as JCBI Probation shall be consistent with expectations outlined in the [Juvenile Community-Based Intervention \(JCBI\) Probation Policy](#).
3. Juvenile Community-Based Resource Low Moderate (JCBR-LM) Probation
- a) JCBR-LM Probation juveniles have been targeted to be appropriate for a low moderate level of supervision by the Administrative Office of Probation.
  - b) Probation officer's engagement for JCBR-LM Probation juveniles is to be just below that of a JCBI Probation juvenile. Probation officers will broker for targeted services, and juveniles will be actively supervised.
  - c) The caseload size for a pure JCBR-LM caseload shall generally not exceed 40.
  - d) JCBR-LM Probation juveniles and parent(s)/guardian(s) shall be advised of the expectations of JCBR-LM as part of the juveniles' supervision set-up.
  - e) Case management of all juveniles classified as JCBR-LM Probation shall be consistent with expectations outlined in the [Juvenile Community-Based Resource Low Moderate \(JCBR-LM\) Probation Policy](#).
4. Juvenile Community-Based Resource Low (JCBR-L) Probation
- a) JCBR-L Probation juveniles have been targeted to be appropriate for a low level of supervision.
  - b) Probation officer's engagement for JCBR-L Probation juveniles is to be just below that of a JCBI Probation juvenile. Probation officers will broker for targeted services, and juveniles will be actively supervised.
  - c) The caseload size for a pure JCBR-L Probation caseload shall generally not exceed 50.
  - d) Juvenile Community-Based Resource Low (JCBR-L) Probation juveniles and parent(s)/guardian(s) shall be advised of the expectations of JCBR-L as part of the juveniles' supervision set-up.
  - e) Case management of all juveniles classified as JCBR-L Probation shall be consistent with expectations outlined in the [Juvenile Community-Based Resource Low \(JCBR-L\) Probation Policy](#).

5. Juvenile Administrative Override Probation

- a) Juvenile Administrative Override Probation cases shall fit into one of the following definitions:
  - (1) Traffic case (not to include Driving Under the Influence, Motor Vehicle Homicide, Felony Driving Under Suspension).
  - (2) Direct (bench) Probation term of 3 months or less.
  - (3) As ordered by a Judge.
  - (4) Juveniles while in an out-of-state facility for placement or treatment during probation ([Interstate Compact on the Placement of Children \(ICPC\)](#)).
- b) Probation staff's supervision of Juvenile Administrative Override Probation cases shall be driven by passive supervision and the brokering of ordered conditions of probation.
- c) The caseload size for a pure Juvenile Administrative Override Probation shall generally not exceed 100.
- d) Juvenile Administrative Override Probation juveniles and parent(s)/guardian(s) shall be advised of the expectations of Juvenile Administrative Override Probation as part of the juveniles' supervision set-up.
- e) Case management of all juveniles classified as Juvenile Administrative Override Probation shall be consistent with expectations outlined in the [Juvenile Administrative Override Probation Policy](#).

6. Juvenile Administrative Probation

- a) Juvenile Administrative Probation cases shall fit into one of the following definitions:
  - (1) Juvenile Interstate Transfer Out
  - (2) Juvenile is on abscond/runaway status for 15 days or more.
  - (3) Warrants
  - (4) A juvenile being held in detention on an adult court hold for 15 days or more.
- b) Probation staff's supervision of Juvenile Administrative Probation cases shall require a periodic update of the case details (minimally every 60 days but may be more frequent depending on the circumstances of the case). This shall include a criminal history record check.
- c) The caseload size for a pure Juvenile Administrative Probation caseload shall generally not exceed 100.

- d) Once a Juvenile Administrative Probation case has reached a concluding result, the case is to be immediately moved to the appropriate supervision level or appropriately closed.
- e) Case management of all juveniles classified as Juvenile Administrative Probation shall be consistent with expectations outlined in the [Juvenile Administrative Probation Policy](#).

7. Direct Probation

- a) Juveniles placed on direct probation for more than three months shall be assessed to determine risk/need level after disposition.
- b) All juveniles reporting to the probation office as a result of being placed on direct probation at disposition shall be required to provide basic demographic and contact information.

B. Reassessment

- 1. Juveniles at all supervision levels (excluding the Juvenile Community-Based Resource Low (JCBR-L) Probation, Administrative Override and Administrative Probation levels of supervision) shall be routinely reassessed.
- 2. It shall not be necessary to complete routine reassessments on Administrative Override or Administrative Probation level juveniles, unless circumstances which placed them within those levels change.

C. Transition

1. General Transition

Prior to the reclassification of a juvenile to either a higher level of supervision or to a lower level of supervision, the probation officer shall consider:

- a) The juvenile's status as it applies to their outcome measures.
- b) Documented indicators of progress or regression in their treatment program.
- c) Progress or regression in addressing high risk domains.
- d) The juvenile's current stage of change

2. Transition/Planning Summary Narrative

Details of the juvenile's current status and any recommendations for future considerations shall be documented in the Nebraska Probation Information System.

3. Transitions for Absconders

Any juvenile who absconds (defined as the juvenile being absent from his/her approved place of residence or employment with the intent of avoiding supervision for a period of fifteen (15) days) shall be subject to the issuance of an arrest and detention authorization per [Neb. Rev. Stat. § 43-286](#), and the case shall be moved to an administrative level of supervision.

4. Specialized Transition

No juvenile adjudicated as a Juvenile Who Sexually Harms in Juvenile court shall be transitioned to a lower level of supervision from a Juvenile Community-Based Intervention (JCBI) Probation level of supervision while on probation without written approval from the Domestic Violence Programs Service Specialist or the Probation Administrator (or Deputy Administrator designee) within the Administrative Office of Probation.

D. Services

1. Services are necessary to address and reduce criminogenic risk factors and recidivism, while also addressing the juvenile's needs and responsivity. Service delivery is accomplished through a variety of methods including staff delivery, as well as brokering and contracting with agencies in the community.
2. Out-of-home placement services will follow the [Juvenile Out-of-Home Policy](#).
3. Any substance abuse servicers shall follow [The Supreme Court Rule, Chapter 6, Article 13 which outlines the Standardized Model for the Delivery of Substance Abuse Services](#).

E. Response to Non-Compliance

Administrative Sanctions shall be imposed to address juvenile incidents of non-compliance with supervision program directives and guidelines. Probation officers shall utilize multiple Administrative Sanctions, increasingly more restrictive, if necessary, to address noncompliant behavior and correct thinking errors. Responses to incidents of juvenile non-compliance within court ordered supervision will be per [Neb. Rev. Stat. § 43-286.01](#), Probation; violation; procedure.

1. All Violations

- a) Upon learning a possible violation has occurred, the supervising officer shall:
  - (1) Investigate and obtain all facts pertaining to the alleged violation.
  - (2) Thoroughly document all information and activities relating to the alleged violation in the case notes, including:
    - (a) Details of the basis for the alleged violation.

- (b) Determination as to whether the juvenile's violation warrants an Administrative Sanction response or a formal revocation proceeding.
      - i. If the case is being supervised as an Interstate or Interdistrict transfer, the supervising officer in the sending district or state shall immediately be notified using the proper channels, per Nebraska Probation System Interstate Compact policies.
  - b) In the event a juvenile has absconded from active supervision, regardless of whether additional probation violations have occurred, the supervising officer shall proceed with the filing of an Alleged Probation Violation.
- 2. [Neb. Rev. Stat. §43-286.01](#) delineates the authority and circumstances under which a probation officer may detain a juvenile, hereafter referred to as Custody-Related Probation Violations. The driving factor of such a detention is either an attempt to leave the jurisdiction, or the juvenile placing the lives/property of others in danger.
- 3. Probable Cause Detention Hearing
  - a) By law, whenever a juvenile on probation is detained and confined as a result of an Alleged Probation Violation, a probable cause hearing or finding by the court shall occur within forty-eight (48) hours of the detention, unless such hearing is waived by the juvenile, in order to determine whether probable cause existed to detain the juvenile.
  - b) Due to the need for a probable cause hearing and due to the time constraint involved, the officer who authorized the detention of the juvenile violator shall be an active participant in order to accomplish the goal(s) sought by the detention.
  - c) Procedurally, supervising officers shall be mindful of two (2) possible scenarios involving probable cause hearings, both of which revolve around the ability to accomplish such a hearing within forty-eight (48) hours. Procedures to employ are as follows:
    - (1) The detaining or supervising officer's role shall be to notify the court of jurisdiction and county attorney to help ensure the hearing occurs during that time frame, and be available to testify in court.
    - (2) If a probable cause hearing cannot occur within forty-eight (48) hours following the detention of a juvenile violator (most generally when the detention occurs on a weekend), the supervising officer shall prepare the appropriate notarized documentation and present the notarized documentation to a judge. This documentation shall be accomplished within forty-

eight (48) hours in order to preserve the court's finding that probable cause existed for the juvenile's detention. Utilizing this type of document further provides the court with the opportunity to schedule a further hearing before the court on a specific date.

4. Non-Custody-Related Probation Violations

- a) [Neb. Rev. Stat. §43-286.01](#) delineates the authority and circumstances under which a probation officer shall proceed with the filing of an Alleged Probation Violation. The same is hereafter referred to as Non-Custody- Related Probation Violations. The Alleged Probation Violation shall be filed with the court of jurisdiction with a copy be provided to the county attorney, outlining the nature and basis of the probation violation.
- b) Steps to take in Submitting a Non-Custody-Alleged Probation Violation
  - (1) Procedurally, a Non-Custody-Alleged Probation Violation constitutes a written request to institute formal revocation proceedings against the juvenile. The Alleged Probation Violation shall be filed with the respective legal parties under the following circumstances:
    - (a) When a detention for a violation of the law has occurred, with the exception of minor traffic infractions.
    - (b) When a non-criminal or substance-abuse violation has occurred and it is determined the use of a probation officer-imposed Administrative Sanction is an inadequate response to the violation, or as there has been a deliberate/continued pattern of non-compliance.
  - (2) When the supervising officer elects to proceed with a request that formal revocation proceedings be initiated against a juvenile, the officer shall prepare in writing an Alleged Probation Violation. The violation report shall be reviewed by the supervising officer's immediate supervisor, and the original referring probation officer, before submitting the same to the court. The original Alleged Probation Violation shall be submitted to the court of jurisdiction, along with a copy to the county attorney of the county where the juvenile was adjudicated. Aside from case descriptors, the Alleged Probation Violation shall contain the following elements:
    - (a) Conditions of probation alleged to have been violated.



- (b) A descriptive, specific and factual statement of explanation concerning the factual basis for each of the alleged violations.
- (c) Officer comments relative to the merits of proceeding with formal revocation proceedings or suggestions regarding other avenues to pursue.
- (d) Any available corresponding reports.
  - i. In the event a case is being supervised as an Interdistrict transfer, the responsibility to prepare and submit the Alleged Probation Violation report lies with the sending Probation district. The receiving district shall provide in writing a detailed accounting of the factual basis for the alleged violations to the sending district.
  - ii. When requesting that violation proceedings be initiated in an Interstate Transfer Case, refer to Nebraska Probation System Interstate Compact Policy and Procedure.

5. Non-Criminal Technical and Substance Abuse Probation Violations.

- a) [Neb. Rev. Stat. §43-286.01](#) provides the statutory authority and procedure for probation officers to exercise discretion in responding to probation violations that are non-criminal or substance abuse related. In such circumstances, officers may respond by either electing to impose an array of available Administrative Sanctions or by requesting a formal revocation proceeding be initiated against the juvenile. The latter process is customarily referred to as a Non-Custody Alleged Probation Violation and has been outlined previously within this policy.
  - (1) Impose one or more administrative sanctions with the approval of his or her chief probation officer or such chief's designee. The decision to impose administrative sanctions in lieu of formal revocation proceedings rests with the probation officer and his or her chief probation officer or such chief's designee and shall be based upon the probationer's risk level, the severity of the violation, and the probationer's response to the violation. If administrative sanctions are to be imposed, the probationer shall acknowledge in writing the nature of the violation and agree upon the administrative sanction. The probationer has the right to decline to acknowledge the violation; and if he or she declines to acknowledge the violation, the probation officer shall take action pursuant to subdivision (4)(b) of this section. A copy of the

report shall be submitted to the county attorney of the county where probation was imposed; or

- (2) Submit a written report to the court of jurisdiction, with a copy to the county attorney of the county where probation was imposed, outlining the nature of the probation violation and request that formal revocation proceedings be instituted against the juvenile.

6. Types of Administrative Sanctions and specified non-criminal violations are outlined in [Neb. Rev. Stat. §43-286.01](#).

F. Sanctioned Forms of Release from Probation

Probation officers shall request a formal discharge of juveniles from their respective orders of probation either by early release, satisfactory release, or unsatisfactory release.

Note: Although there is no statutory provision for an unsatisfactory release from probation, many courts and the Administrative Office of Probation recognize the value of such a release. Whereas an unsatisfactory release may present adverse repercussions for the juvenile who later appears before a court on another matter, such an unsatisfactory release shall not be prepared nor presented to the court unless a hearing is first held affording the juvenile the opportunity to show cause why such a release shall not be granted, the juvenile signs a waiver to such a hearing or fails to attend a scheduled hearing on the matter.

G. Juvenile Confidentiality

All probation related information shall be held in strict confidentiality, consistent with the [Juvenile Confidential Record Information and Sealed Records Policy](#).